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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,256	10/05/2004	Hubertus Cornelis Maria Van Den Nieuwenhuizen	NL 020271	8751

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EXAMINER	
PERRY, ANTHONY T	
ART UNIT	PAPER NUMBER
2879	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/510,256	VAN DEN NIEUWENHUIZEN	
	Examiner	Art Unit	
	Anthony T. Perry	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1/19/07*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 3-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 4, 5, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 5,323,091) in view of Van den Nieuwenhuizen et al. (WO 00/77826).

Regarding claims 1, 4, and 5, Morris discloses a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel (16) enclosing a discharge space with an ionizable filling, wherein a first electrode (18) and a second electrode (18) are present between which a discharge is maintained during lamp operation, wherein a first seal (42) incorporates a first internal electrical conductor (44) in the form a foil which connects the first electrode (18) to a first external electrical conductor (not labeled) extending from the seal (42) to the exterior, wherein said first seal (42) further incorporates a gas-filled cavity (50) which is at least partially surrounded by an external capacitive body (54), characterized in that the external capacitive body (54) is electrically isolated from the first and second electrodes (18), and the electrodes (18) are inherently connected to an ignition system. The foil (44) extends through the gas-filled cavity (10). The gas filled cavity is taught to include mercury vapor (see col. 4, lines 13-16).

Morris does not specifically teach the capacitive body being in the form of a wire wound around the seal. However, Van den Nieuwenhuuizen et al. teach an external capacitive body that

is the form of a wire wound around the seal in order to simplify the manufacture of the lamp assembly (see page 4, line 31 – page 5, line 2 and Fig. 3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a wire, as taught by Van den Niewenhuizen, for the external capacitive body so that a simple assembly method that involves only winding the wire around the seal portion and does not require welding or other complicated attachment means can be used in the manufacturing of the lamp.

Regarding claim 3, Morris discloses a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel (16) enclosing a discharge space with an ionizable filling, wherein a first electrode (18) and a second electrode (18) are present between which a discharge is maintained during lamp operation, wherein a first seal (42) incorporates a first internal electrical conductor (44) which connects the first electrode (18) to a first external electrical conductor (not labeled) extending from the seal (42) to the exterior, wherein said first seal (42) further incorporates a gas-filled cavity (50) which is at least partially surrounded by an external capacitive body (54), characterized in that the external capacitive body (54) is electrically isolated from the first and second electrodes (18), and the electrodes (18) are inherently connected to an ignition system.

Morris does not specifically teach the capacitive body being in the form of a resilient body that clamps itself around the seal. However, Van den Nieuwenhuuizen et al. teach an external capacitive body that is the form of a resilient body that clips itself to the seal in order to simplify the manufacture of the lamp assembly (see page 5, lines 5-19 and Figs. 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a resilient body that is capable of clamping itself to the seal, as taught by Van den Niewenhuizen,

for the external capacitive body so that a simple assembly method that does not require welding or other complicated attachment means can be used in the manufacturing of the lamp.

Regarding claim 9, Morris discloses a high-pressure discharge lamp and its method of manufacturing, wherein the high-pressure discharge lamp has a quartz glass discharge vessel (16) enclosing a discharge space with an ionizable filling, wherein a first electrode (18) and a second electrode (18) are present between which a discharge is maintained during lamp operation, wherein a first seal (42) incorporates a first internal electrical conductor (44) which connects the first electrode (18) to a first external electrical conductor (not labeled) extending from the seal (42) to the exterior, wherein said first seal (42) further incorporates a gas-filled cavity (50) which is at least partially surrounded by an external capacitive body (54), characterized in that the external capacitive body (54) is electrically isolated from the first and second electrodes (18), and the electrodes (18) are inherently connected to an ignition system.

Morris does not specifically teach the first seal being a collapsed seal. However, Van den Nieuwenhuuizen et al. teach that it is preferred that the first seal be a collapsed seal in order to ensure that the glass has adhered to the electric conductor by means of flowing an area of the first seal so that the gas tight seal is free from internal stress to a considerable extent (see page 2, lines 26-29 and Figs. 4-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first seal be a collapsed seal, as taught by Van den Niewenhuizen, so as to ensure that the gas tight seal is free from harmful internal stress.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 5,323,091) in view of Van den Nieuwenhuizen et al. (WO 00/77826) as applied to claim 1, above, and further in view of Kawashima et al. (US 6,294,870).

Regarding claims 6-7, Nortrup et al. do not specifically teach the use of a lamp reflector. However, Kawashima et al. disclose the use of a lamp reflector (77) with a high-pressure discharge lamp (1) (see Fig. 12). The use of such lamp reflectors is well known in the art for reflecting emitted light in desired direction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a lamp reflector as taught by Kawashima in order to increase the light intensity in a particular direction, for the purpose of illuminating a desired object. Figure 9 of the Kawashima reference shows capacitive body (73) being partially mounted within the holder (64) of the lamp reflector, such that it is embedded in cement (70).

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris (US 5,323,091) in view of Van den Nieuwenhuizen et al. (WO 00/77826) as applied to claim 1, above, and further in view of Adamson (US 6,094,017).

Regarding claims 8 and 10, Nortrup does not specifically describe the ignition system. However, Adamson teaches a high-pressure discharge lamp wherein the electrodes are connected to a resonance ignition system that produces a frequency of 150 kHz when the lamp is initially turned on. Adamson teaches that a frequency of 150 kHz is high enough to generate a high voltage to ignite an arc across the arc electrodes (col. 21, line 56 – col. 22, line 6). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a resonance ignition system that produces a frequency of 150 kHz connected to the electrodes to ensure that the lamp consistently and reliably creates the initial arc required.

Response to Arguments

Applicant's arguments filed 9/19/06 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The examiner agrees that Morris does not specifically teach the external capacitive body in the form of a wire wound around the seal or a resilient body which clamps itself around the seal, and therefor provides the Van den Nieuwenhuizen to teach the use of such external capacitive bodies. The external capacitive bodies of the Morris reference are electrically isolated from the first and second electrodes.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Anthony Perry* whose telephone number is **(571) 272-2459**. The

examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. **The fax phone number for this Group is (571) 273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JOSEPH WILLIAMS
PRIMARY EXAMINER

Anthony Perry
Patent Examiner
Art Unit 2879
March 30, 2007